

REMARKS

In section 3 of the Office Action, the Examiner rejected claims 31-47 under 35 U.S.C. §103(a) as being unpatentable over Davies in view of Ben-Ze'ev and further in view of Shintani.

As discussed in the previous response, Davies, Ben-Ze'ev, and Shintani fail to disclose or suggest the invention of independent claims 31 and 42 for at least two reasons.

First, Davies, Ben-Ze'ev, and Shintani fail to disclose or suggest plural televisions that transmit confirmation signals indicating that the televisions have modified their operation.

Second, Davies, Ben-Ze'ev, and Shintani fail to disclose or suggest a host processor that determines which televisions do not transmit confirmation signals indicating that they have modified their operation.

The Examiner recognizes that Davies fails to disclose or suggest either (i) plural televisions that transmit confirmation signals indicating that the televisions have modified their operation or (ii) a host processor that determines which televisions do not transmit confirmation signals indicating that they have modified their operation.

Therefore, the Examiner relies on Ben-Ze'ev. However, the Examiner's reliance on Ben-Ze'ev is misplaced.

With regard to failure (i) of Davies (i.e., Davies fails to disclose plural televisions that transmit confirmation signals indicating that the televisions have modified their operation), the Examiner characterizes column 9, lines 52-59 and column 10, lines 49-65 of Ben-Ze'ev as disclosures of a remote controller that periodically interrogates the status of remote devices. This characterization is inaccurate.

Column 9, lines 52-59 of Ben-Ze'ev describe a general section 44 (see Figure 4) of a set up file 50 that is stored in an appliance (shown in more detail in Figure 2) and that is sent, when necessary, to the remote controller (shown in more detail in Figure 3). The general section 44 includes information specific to the appliance that may be needed by the remote controller or its operator. For example, the general section 44 includes the date and time as currently set in the appliance and a status register or file that shows the current status of the appliance. The status register or file in the case of a video tape, for example, may

indicate the remaining recording time, the programming times of the videotape, etc.

The set-up file 50 is not, however, transmitted by the appliance to the remote controller as a confirmation indicating that the appliance has modified its operation as commanded by the remote controller. Instead, as disclosed in column 11, lines 21-64 of Ben-Ze'ev, the identification portion of the set-up file 50 is periodically transmitted by the appliance to the remote controller, and the functional portion of the set-up file 50 (which includes the general section 44) is transmitted by the appliance to the remote controller when the user desires to control the appliance but before the user actually transmits a control signal from the remote controller to the appliance.

As further disclosed in column 11, lines 21-64 of Ben-Ze'ev, the remote controller screen changes the background color of the icon representing the appliance so show that the remote controller has received and stored the general section 44 of the appliance. Thus, this color change informs the user that the appliance can now be controlled.

As can be seen, neither the general section 44 nor any other section of the set-up file 50 is a

confirmation indicating that the appliance has modified its operation as commanded by the remote controller. The user consults the general section 44 of an appliance before the remote controller is used to control the appliance.

Column 10, lines 49-65 of Ben-Ze'ev merely state that the remote controller periodically interrogates the existence of appliances within its vicinity. Thus, there is no disclosure or suggestion in this portion of Ben-Ze'ev of a control signal that causes an appliance to modify its operation and of a confirmation signal indicating that an appliance has modified its operation as commanded by the control signal from the remote controller.

Further, the Examiner characterizes column 13, lines 44-50 of Ben-Ze'ev as a disclosure that the remote controller receives confirmation that the appliances has executed a commanded function. This characterization is inaccurate.

Column 13, lines 44-50 of Ben-Ze'ev merely state that the remote controller receives alert signals from the appliances. These alerts indicate, for example, that a kettle has finished boiling water. However, there is no disclosure or suggestion in Ben-Ze'ev that the

alerts are in response to a commanded function or an interrogation. Therefore, there is no suggestion that the alert signal is a confirmation signal.

Accordingly, as in the case of Davies, Ben-Ze'ev fails to disclose or suggest either (i) plural televisions (or any appliances) that transmit confirmation signals indicating that they have modified their operation or (ii) a host processor that determines which televisions (or appliances) do not transmit confirmation signals indicating that they have modified their operation.

With regard to failure (ii) of Davies (i.e., Davies fails to disclose a host processor that determines which televisions do not transmit confirmation signals indicating that they have modified their operation), the Examiner relies on Shintani. As pointed out in applicant's previous response, the Examiner does not cite any specific portion of Shintani as particularly pertinent to the Examiner's argument. However, the Examiner's reliance on Shintani is, in any event, unwarranted.

Shintani describes a television set 101 that either sends a confirmation signal to a remote control 100 when the television set 101 receives a valid

instruction from the remote control 100, or sends an error signal to the remote control 100 when the television set 101 receives an invalid instruction from the remote control 100.

Accordingly, as in the case of Davies and Ben-Ze'ev, Shintani fails to disclose or suggest either (i) plural televisions that transmit confirmation signals indicating that they have modified their operation or (ii) a host processor that determines which televisions do not transmit confirmation signals indicating that they have modified their operation.

In section 2 of the Office Action, the Examiner asserts that Ben-Ze'ev discloses a system in which a remote controller sends command signals to control appliances and in which the appliances transmit status signals to the remote controller. Apparently, the Examiner is of the opinion that the status signals sent by the appliances to the remote controller are confirmation signals indicating that the appliances have modified their operations as commanded by the command signals.

However, the status signals are not confirmation signals indicating that the appliances have modified their operations as commanded by the command

signals. The status signals merely respond to a status interrogating signal. Thus, the status signal indicates receipt of a status interrogating signal but is not a confirmation signal indicating that an appliance has modified its operation as commanded by a command signal from the remote controller.

Nor does Ben-Ze'ev suggest using the status signal as such a confirmation signal. Instead, as discussed above, Ben-Ze'ev suggests interrogating the status of an appliance by use of the remote controller prior to the user using the remote controller issuing a command to modify the operation of the appliance.

Thus, Ben-Ze'ev does not disclose or suggest configuring the status signal as a confirmation signal that the appliance has modified its operation in response to a command from the remote controller.

Therefore, because Davies, Ben-Ze'ev, and Shintani taken alone or in combination do not disclose or suggest plural televisions that return confirmation signals indicating that they have modified their operation as commanded by a host device, and because Davies, Ben-Ze'ev, and Shintani taken together do not disclose or suggest determining which of the televisions fail to send such a confirmation signal, it would not

have been obvious to one of ordinary skill in the art to combine Davies, Ben-Ze'ev, and Shintani so as to produce the inventions of claims 31-47.

Accordingly, claims 31-47 are not unpatentable over Davies in view of Ben-Ze'ev and further in view of Shintani.

CONCLUSION


In view of the above, it is clear that the claims of the present application patentably distinguish over the art applied by the Examiner. Accordingly, allowance of these claims and issuance of the above captioned patent application are respectfully requested.

The Commissioner is hereby authorized to charge any additional fees that may be required, or to credit any overpayment, to account No. 26 0175.

Respectfully submitted,

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